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JPMORGAN CHASE BANK, N.A.,

:

Plaintiff,

:

09 Civ. 0335 (WHP) (AJP)

-against-

:

**ORDER OF DISMISSAL ON CONSENT**

HOSTWAY CORPORATION,

:

Defendant.

:

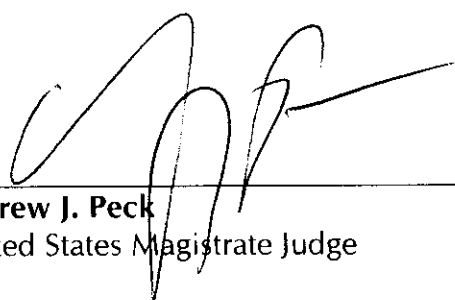
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**ANDREW J. PECK, United States Magistrate Judge:**

Based on the settlement agreement reached by all parties and transcribed by the court reporter on December 14, 2009, and on the stipulation of the parties pursuant to 28 U.S.C. §636(c), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs, provided, however, that the Court retains jurisdiction pursuant to the terms of the settlement agreement. Any pending motions are to be terminated as moot.

SO ORDERED.

DATED: New York, New York  
December 14, 2009

  
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Andrew J. Peck  
United States Magistrate Judge

Copies **by fax & ECF** to: Andrea Likwornik Weiss, Esq.  
Stephen P. McLaughlin, Esq.  
Andrew P. Bleiman, Esq.  
Judge William H. Pauley III

CAORD\DISMISS